



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE **T.S.SIVAGNANAM**

AND

THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**

W.A. [MD] .No.688 of 2017

V.Jayakumar

: Appellant/Petitioner

Vs.

1. Joint Registrar of Co-operative Societies
Multi Storage Buildings
Kaja Maligai, Trichirapalli : 1st Respondent/1st Respondent
2. The Enquiry Officer/Deputy Registrar
Personal Assistant to the Joint Registrar
Multi Storage Buildings
Kaja Maligai, Trichirapalli. : 2nd Respondent /2nd Respondent

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 28.04.2015 made in W.P.(MD).No.6931 of 2015, on the file of this Court.

Prayer in WP(MD). 6931/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents to serve the copies of the documents as per the representations of the petitioner as per the order of this Honble Court in W.P.(MD) No. 12185/ 2011 dated 21.10.2011 and to conduct de-novo enquiry by an enquiry officer other than the charge sheeted officer.

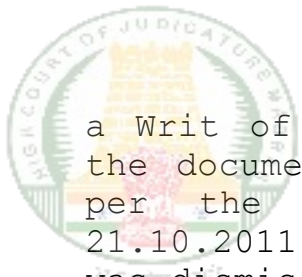
For Appellant	: Mr.V.O.S.Kalaiselvam
For Respondents	: Mr.VR.Shanmuganathan
	Special Government Pleader

JUDGMENT

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

Heard Mr.V.O.S.Kalaiselvam, learned counsel appearing for the appellant and Mr.VR.Shanmuganathan, learned Special Government Pleader appearing for the respondents.

2. This Writ Appeal is directed against the order passed in W.P.(MD).No.6931 of 2015, dated 28.04.2015. The said Writ Petition was filed by the appellant herein praying for issuance of



a Writ of Mandamus directing the respondents to serve copies of the documents, as per the representation of the appellant and as per the order passed in W.P.(MD).No.12185 of 2011, dated 21.10.2011 and to conduct de novo enquiry. The said Writ Petition was dismissed with certain observations.

WEB COPY

3. The learned counsel for the appellant would submit that the earlier Writ Petition pertained to a different charge memo and the present Writ Petition pertains to a charge memo dated 08.02.2011.

4. On a perusal of the affidavit filed in support of the said Writ Petition, it is seen that there are no such averment stating that the earlier Writ Petition was for different charge memo. In fact, the prayer sought for in the Writ Petition is to direct the respondents therein to serve the documents, as per the order passed in the earlier Writ Petition in W.P.(MD).No.12185 of 2011, dated 21.10.2011. Therefore, the learned Single Judge was perfectly right in dismissing the Writ Petition and issuing direction to pass final orders on merits and in accordance with law. Thus, we find that the present Writ Appeal is devoid of merits and the same is dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. Joint Registrar of Co-operative Societies
Multi Storage Buildings
Kaja Maligai, Trichirapalli

2. The Enquiry Officer/Deputy Registrar
Personal Assistant to the Joint Registrar
Multi Storage Buildings
Kaja Maligai, Trichirapalli.

+1 CC to M/s.V.O.S.Kalaiselvam, Advocate, SR No. 61141/17.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 61609/17.

NB

PSM/KKR/SAR1/30.06.2017/2P/5C

JUDGMENT MADE IN
W.A. [MD] .No.688 of 2017
20.06.2017